

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

March 7, 2005

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor

THRU: Dave Darby, Environmental Scientist, Hydrologist/Team Lead

FROM: Karl R. Houskeeper, Environmental Scientist III

RE: Mathis/Summit Creek State L.B.A. Boundary Change, Andalex Resources, Inc., Centennial Project, C/007/0019, Task #2119

SUMMARY:

The Division received an application for a boundary change for the remaining Mathis Tract, State L.B.A. and Federal Summit Creek Lease area on January 14, 2005. This memo addresses the administrative requirements for this application.

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TECHNICAL ANALYSIS:

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

Analysis:

The Applicant Violator System (AVS) was checked for any outstanding violations and a current list of the Organizational Family Tree (OFT) on March 4, 2005. The reports received from the Office of Surface Mining (OSM) showed that there were no outstanding violations and that the OFT still corresponds with the information contained in the approved Mining and Reclamation Plan (MRP).

All other ownership and control information contained in the MRP is current.

Findings:

The information provided in the proposed amendment and the approved MRP is adequate and meets the minimum requirements of this section.

VIOLATION INFORMATION

Regulatory Reference: 30 CFR 773.15(b); 30 CFR 773.23; 30 CFR 778.14; R645-300-132; R645-301-113

Analysis:

The approved Mining and Reclamation Plan (MRP), Appendix B was reviewed. The violation information contained in the MRP is up to date. The regulations require that the violation information be kept current and reflect the three years prior to the date of the application.

Findings:

The information provided in the proposed amendment and the approved MRP is adequate and meets the minimum requirements of this section.

RIGHT OF ENTRY

Regulatory Reference: 30 CFR 778.15; R645-301-114

Analysis:

Appendix J of the approved MRP contains the right of entry information for the New Federal Lease UTU 79975 and the Mathis Tract Fee Lease. The State Lease By Application (L.B.A.) is still in process and the lease has not been issued or received by the Permittee or the Division.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-114, A copy of the State L.B.A. needs to be submitted for review upon approval and receipt of the lease. A copy of this lease needs to be incorporated into Appendix J.

LEGAL DESCRIPTION AND STATUS OF UNSUITABILITY CLAIMS

Regulatory Reference: 30 CFR 778.16; 30 CFR 779.12(a); 30 CFR 779.24(a)(b)(c); R645-300-121.120; R645-301-112.800; R645-300-141; R645-301-115.

Analysis:

Page 1-21 of the approved MRP has been updated with the new legal description. The new description contains lots. No information has been provided to the Division to determine the location of the lots identified in the description.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-115, An accurate legal description needs to be submitted for the proposed expansion. The lots listed in the description need to be shown on a map.

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RECOMMENDATIONS:

Prior to approval, the requirements of R645-301-114 and R645-301-115 must be provided as outlined above.

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